

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the Memorandum and Recommendation of the United States Magistrate Judge recommending that this court dismiss plaintiff's *in forma pauperis* complaint upon frivolity review under 28 U.S.C. § 1915(e)(2)(B).

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered January 28, 2013, and for the reasons set forth more specifically therein, that this matter is dismissed due to lack of subject matter jurisdiction. The plaintiff shall have and recover nothing from this action.

This Judgment Filed and Entered on January 29, 2013, and Copies To:

Paul Burke (via U.S. Mail) 675 Chesters Road, Roseboro, NC 28382

January 29, 2013

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk